

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

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Counsel to the Plan Administrator

In re:

BED BATH & BEYOND, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-13359 (VFP)

Judge: Vincent F. Papalia

(Jointly Administered)

**STIPULATION AND CONSENT ORDER RESOLVING MOTION TO FILE CLAIMS
AFTER BAR DATE**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases (collectively, the "Debtors" and each a "Debtor") and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

Debtors: BED BATH & BEYOND INC., *et al.*
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This stipulation and consent order (the “Stipulation”) is made by and between the City of Largo (the “Creditor”), and Michael Goldberg, as Plan Administrator (the “Plan Administrator”) for the Debtors (together, the “Parties”), including, as applicable, by and through their duly authorized undersigned counsel.

WHEREAS, on April 23, 2023 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the Court;

WHEREAS, the Debtors’ chapter 11 cases have been procedurally consolidated;

WHEREAS, on September 14, 2023, this Court entered the *Findings of Fact, Conclusions of Law, and Order (I) Approving the Disclosure Statement on a Final Basis and (II) Confirming the Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates* [Docket No. 2172], confirming the *Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and Its Debtor Affiliates* [Docket No. 2160] (as amended, the “Plan”);

WHEREAS, on September 29, 2023, the effective date of the Plan occurred; as of that date, the Plan Administrator is authorized to implement the Plan and any applicable orders of the Bankruptcy Court;

WHEREAS, on December 22, 2023, Creditor filed its *Motion of City of Largo to File Claims After Bar Date* [Docket No. 2757] (the “Motion”) on the basis that it did not receive adequate notice of the bankruptcy proceedings;

WHEREAS, the Parties have agreed upon the terms set forth in this Stipulation, for which the Parties seek approval hereby;

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**NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION THE
PARTIES HERETO ACKNOWLEDGE RECEIVING, IT IS HEREBY STIPULATED,
AGREED AND ORDERED AS FOLLOWS:**

1. The recitals set forth above are hereby made an integral part of the Parties' Stipulation and are incorporated herein.
2. Creditor shall be permitted to file a general unsecured claim in the amount of \$15,516.12, which shall be considered to be filed timely.
3. This Stipulation resolves all of the Claimant's claims against the Debtors.
4. Notwithstanding Bankruptcy Rules 6004(h) and 6006(d), upon the Court's approval of this Stipulation, the relief set forth herein shall be effective and enforceable immediately upon entry hereof.
5. The Parties acknowledge and agree that the Court shall retain jurisdiction over all disputes concerning or related to the subject matter of this Stipulation.

Dated: January 10, 2024

PACHULSKI STANG ZIEHL & JONES LLP

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